

## REMARKS

Claims 1-6 and 8-19 remain pending in the present application. Claims 1, 6 and 17 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

### REJECTION UNDER 35 U.S.C. § 103

Claims 1-6 and 8-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Franklin in view of Schwemmer (U.S. Pat. No. 5,396,973). Applicant respectfully traverses this rejection. Independent Claims 1, 6 and 17 have been amended to define that the electronic controller is separate from the shock absorber. The memory device has already been defined as being integral with the shock absorber and it has also been defined as being separate from the controller.

Franklin discloses a damper controller 160 that includes memory 609. Controller 160 and memory 609 are separate from the shock absorber 120, 130. Schwemmer discloses an electronic controller 22 which is connected to the shock absorber. The controller of Schwemmer includes memory. Thus, the combination of Franklin in view of Schwemmer teaches moving controller 160 with its memory to the shock absorber.

Neither Franklin or Schwemmer taken alone or in combination teach separating the memory from the controller and then locating the controller separate from the shock absorber and locating the memory integral with the shock absorber as now defined in amended Claims 1, 6 and 17. The separation of controller and memory allows the replacement of the shock absorber in Franklin without having to reprogram the controller. The separation of controller and memory allows the replacement of the

shock absorber in Schwemmer without having to also replace the controller with its associated costs.

Thus, Applicant believes Claims 1, 6 and 17, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-5, 8-16, 18 and 19, which ultimately depend from one of Claims 1, 6 and 17, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: March 15, 2005

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